

09/928,546

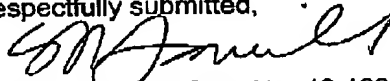
considered by the Examiner. A copy of the Supplemental Response is attached hereto for the Examiner's convenience.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Scott A. Daniels, Reg. No. 42,462

Customer No. 020210

Davis & Bujold, P.L.L.C.

Fourth Floor

500 North Commercial Street

Manchester NH 03101-1151

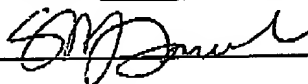
Telephone 603-624-9220

Facsimile 603-624-9229

E-mail: patent@davisandbujold.com

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on: June 10, 2002



Scott A. Daniels

Type name of person signing certificate

05/06/02 15:31:45

USPTO->

6036249229 Right FAX

Page 001

TO:Auto-reply fax to 6036249229 COMPANY:

Auto-Reply Facsimile Transmission



UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

Fax Sender at 6036249229

Fax Information

Date Received:

5/6/02 3:27:26 PM [Eastern Daylight Time]

Total Pages:

9 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 702.04 et seq.

Received
Cover
Page

=====>

05/06/02 MON 16:12 FAX 6036249229	DAVIS & BUJOLD	004
<p>MICHAEL J. BUJOLD DIRECTOR IN CHARGE</p> <p>MSALE FREEMAN CHIEF OF BUREAU</p> <p>SCOTT D. BUELL CHIEF OF BUREAU</p>	<p>LAW OFFICES DAVIS & BUJOLD, P.L.L.C. FOURTH FLOOR 500 NORTH COMMERCIAL STREET MANCHESTER, NEW HAMPSHIRE 03101 UNITED STATES OF AMERICA</p> <p>TELEPHONE (603) 872-8326 FACSIMILE (603) 872-8326 E-MAIL: info@dbujold.com</p>	<p>OF COUNSEL ANTHONY E.M. DAVIS CHIEF OF BUREAU CHIEF OF BUREAU CHIEF OF BUREAU</p> <p>DARYL D. CLARK CHIEF OF BUREAU</p> <p>BOSTON ADDRESS: P.O. BOX 81463 BOSTON, MA 02111</p>
FACSIMILE TRANSMITTAL		
<p>TO: <u>Thuy Van Tran</u> FAX #: <u>(703) 872-8326</u></p> <p>COMPANY: <u>U.S. Patent & Trademark Office - Group Art Unit #8852</u></p> <p>FROM: <u>Michael J. Bujold</u> TOTAL NO. OF PAGES SENT: <u>9</u></p> <p>DATE: <u>May 6, 2002</u></p> <p>REMARKS AND ENCLOSURES:</p>		
<p>In re Appln. of: <u>Angelo SPERANZA</u></p> <p>Serial No.: <u>09/928,548</u></p> <p>Filed: <u>August 13, 2001</u></p> <p>For: <u>FOOD DISPENSING CYCLE AND MEANS</u></p> <p>Group Art Unit: <u>3652</u></p> <p>Examiner: <u>Thuy Van Tran</u></p> <p>Deputy: <u>ROCKCO P32AUSRI</u></p> <p>RECEIVED: <u>Supplemental Response- 8 pgs.</u></p>		
CONFIDENTIALITY NOTE		
<p>This document(s) accompanying this facsimile transmission contains information from the law firm of DAVIS & BUJOLD, P.L.L.C. which is confidential and/or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this facsimile transmission is prohibited. If you have received this transmission in error, please notify our office by telephone immediately so that we can arrange for the retrieval of the facsimile document(s) at no cost to you.</p>		
<p>Received from < 6036249229 > at 5/6/02 3:27:26 PM [Eastern Daylight Time]</p>		

COPY

05/6/02

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Angelo SPERANZA
Serial no. : 09/928,546
Filed : August 13, 2001
For : FOOD DISPENSING CYCLE AND MEANS
Group Art Unit : 3652
Examiner : Thuy Van Tran
Docket : ROCKCO P32AUSRI

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

SUPPLEMENTAL RESPONSE

COPY

Dear Sir:

[XXX] PLEASE CHARGE OUR ACCOUNT NUMBER 04-0213, BASED UPON THE APPLICANT'S SMALL ENTITY STATUS.	
PETITION FOR MONTH(S) EXTENSION OF TIME	\$
NOTICE OF APPEAL	\$
TERMINAL DISCLAIMER	\$
LATE SUBMISSION OF INFORMATION DISCLOSURE STATE.	\$
TOTAL CLAIMS ALREADY PAID FOR 40	
ADDITIONAL CLAIMS ADDED HEREBY 6 X 9 =	\$ 54
TOTAL INDEPENDENT CLAIMS ALREADY PAID FOR 7	
ADDITIONAL IND. CLAIMS ADDED HEREBY 6 x 42 =	\$252
TOTAL	\$306

Further in response to the official action mailed February 1, 2002, to the response filed April 9, 2002 and the interview with the Examiner of April 18, 2002, please additionally amend the above identified application as follows:

In the Claims:

Please add new claims 41-46 as set forth below, and cancel claim 8, without prejudice, which is substantially a duplicate of claim 7.

09/928,546

41. (NEW) A method of preparing, transporting and dispensing food, the method comprising the steps of:

preparing the food for consumption at a first location;
apportioning the food onto a plurality of trays at the first location;
providing a maneuverable rack, lacking any heating and cooling means,
with a predetermined stacking arrangement of particular dimensions, and stacking the
plurality of trays, once apportioned with food, in the rack;
loading the rack, stacked with the plurality of trays, onto a refrigerated
transport vehicle for transportation to a second remote location;
transferring the rack, at the second location, from the refrigerated transport
vehicle to a moveable receptacle, and the moveable receptacle having a heating means
and a cooling means, and the receptacle being configured to receive at least one rack;
relocating the moveable receptacle to a desired position;
activating the heating means and the cooling means to regenerate the
apportioned food of the plurality of trays of the rack; and
dispensing the plurality of trays, containing the apportioned food, to
consumers for consumption once the apportioned food is sufficiently regenerated.

42. (NEW) A method of preparing, transporting and dispensing food between
a series of remote locations, the method comprising the steps of:

preparing the food for consumption at a first location;
apportioning the food onto a plurality of trays at the first location;
stacking the trays in a manually maneuverable rack providing only a
predetermined stacking arrangement of particular dimensions and lacking any heating
and cooling means;
loading the maneuverable rack onto a transfer vehicle for transportation
to a second remote location;
transferring the maneuverable rack, at the second location, into a
moveable receptacle having a heating means and a cooling means, and the receptacle
being configured to receive at least one rack;
relocating the moveable receptacle to a desired position;
activating the heating means and the cooling means prior to dispensing
of the food trays to consumers; and
dispensing the food trays to the consumers for consumption.

09/928,546

43. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle having a heating system and a cooling system, the receptacle being configured to receive at least one rack; and

activating a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle.

44. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle, the receptacle being configured to receive at least one rack; and

activating a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle;

the heating system and the cooling system being demountably coupled to the receptacle.

09/928,546

45. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle, the receptacle being configured to receive at least one rack;

providing the receptacle with a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack in the receptacle;
and

activating at least one of the heating system and the cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle;

the heating system and the cooling system being located in the receptacle.

46. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle, the receptacle being configured to receive at least one rack;

09/928,546

providing the receptacle with a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack in the receptacle; and

activating at least one of the heating system and the cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle;

the heating system and the cooling system being located in the receptacle.

09/928,546

REMARKS

The Applicant thanks the Examiner for the informative interview of April 18, 2002 with respect to the present application. In view of the issues discussed during the interview as outlined in the interview summary, the Applicant respectfully submits a Supplemental Response to be considered in light of the previous response of April 9, 2002 and the relevant discussions between the Examiner and the undersigned representative of the Applicant.

Regarding the Examiner's concern specifically with the last paragraph in col. 2, lines 62 through 68 of Colato et al. '736, the Applicant reiterates that although Colato discusses the feeding of individuals from a location remote from food service facilities, the same paragraph discusses accomplishing the remote location feeding by "providing a refrigerated tray rack having means for heating certain of the food dishes on the trays therein.....". As discussed during the interview and as pointed out in the previous response, Colato et al. specifically utilizes a rack including a heating element for each tray deposited therein and that this tray rack is also refrigerated in some manner.

Further, the last paragraph of col. 2 of Colato et al. '736 does not state that racks are transported to remote locations without first being positioned in a regeneration receptacle or cart. Colato requires that the regeneration receptacle or cart Ca with one or more racks C of loaded trays of food contained therein be transported from the central supply point to the desired location where regeneration takes place as is stated in Colato et. al. '736, for example, at col. 2, lines 16-20, which states:

The enclosure or cart with its tray rack or racks and complete trays within the same may be prepared with food at a central supply point and then conveyed to any desired location and during such time all food on the tray remains refrigerated.

6/10/02 2:09 PM

09/928,546

Moreover, the last paragraph of col. 2 of Colato et al. '736 states that "Location feeding...can be accomplished by providing a refrigerated tray rack" (Colato's rack C) "having means for heating certain food dishes on the trays therein as hereinbefore described and transported by an appropriate vehicle" (Colato's cart Ca) "having means for holding one or more tray racks" (Colato's racks C). The "refrigerated tray rack" referred to is Colato's rack C, and the "vehicle" referred to is Colato's cart Ca.

In contrast, under Applicant's method, the regeneration receptacle is not loaded at the central food preparation area and transported to a remote location from the central food preparation area for regeneration of the food. Rather, in accordance with Applicant's invention, only the rack loaded with trays of food is transported between the central food preparation area and the remote location, which eliminates the need for expensive regeneration carts to be transported outside the site where they are used.

The absence of heating and cooling means on the rack (as recited in new claims 41-46) and the elimination of the need to transport heating and cooling means from the location where the food is prepared to the location where regeneration takes place are not taught, suggested or disclosed by the prior art. Moreover, Applicant's claimed inventive method provides huge advantages detailed in Applicant's specification which are not known in the prior art. Accordingly, it is respectfully submitted that the claimed invention is patentably distinct over the prior art.

In view of the discussions of April 18, 2002, Applicant has added six new independent claims to round out the coverage of the claims. Please enter the new claims before substantive reconsideration of this application.

In view of the foregoing, it is respectfully submitted that this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

6/10/02 4:28 PM

- 7 -

09/928,546

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully Submitted,



Scott A. Daniels, Reg. No. 42,462
Customer No. 020210
Davis & Bujold, P.L.L.C.
Fourth Floor
500 North Commercial Street
Manchester NH 03101-1151
Telephone 603-624-9220
Facsimile 603-624-9229
E-mail: patent@davisandbujold.com

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on: May 6, 2002.



Scott A. Daniels

Type name of person signing certificate

COPY